



FE - CONSTRUCTION PROJECTS AND CONTRACTING PROCEDURES

Except as otherwise provided in this policy, District construction projects and contracting procedures shall be governed by Policies DJ (Purchasing), DJA (Purchasing Authority), DJB (Purchasing Procedures) and DJG/DJGA (Vendor Relations, Sales Calls and Demonstrations). As used in this policy, “construction projects” include new facility construction, additions and remodel/retrofit, as well as infrastructure installation and modifications.

The director of construction services shall establish administrative guidelines for developing the design of new facilities and of additions to existing facilities, which shall ensure that consideration is given to such matters as: (a) the configuration and size of the new facility or addition and of each area within the new facility or addition; (b) the spatial relationship of the different areas within the new facility or addition; (c) the drawings and specifications developed for similar District projects previously constructed; (d) current trends in educational facility construction; and (e) the recommendations of design professionals. The administrative guidelines shall also provide for input regarding the design of new facilities and of additions to existing facilities from the Facility Services Department and from the people who will be using the facilities, including community members, students, educators, administrators and support personnel.

For each new construction project, the director of construction services or director of facility services shall determine the method of construction and the contract award process that are in the District’s best interest, based on documented consideration of such factors as the size of the project, the complexity of the project, the number of trades that will be working on the project and the time within which the project needs to be completed. The method of construction may be: (a) traditional design/bid/build; (b) construction manager/general contractor (“CM/GC”); or (c) cost of work plus a fee. The contract award process may be: (a) comparison of price quotes; (b) competitive bidding; or (c) competitive proposals.

The director of construction services and the director of facility services shall use appropriate written agreements for each design professional, construction manager and contractor with whom the District contracts on a construction project. Such written agreements shall, to the maximum extent possible, protect the District’s interests and preserve the District’s legal rights. The form of each written agreement shall be reviewed by legal counsel for the District, and if necessary revised, prior to its use. Originals of all executed written agreements shall be maintained by the Purchasing and Materials Management Department, with copies to the Construction Services Department or Facility Services Department, as appropriate.

The Purchasing and Materials Management Department shall work collaboratively with the Construction Services Department and Facility Services Department to develop requests for price quotes, invitations to bid and requests for proposals as appropriate for each construction project. The Purchasing and Materials Management Department shall be responsible for soliciting and receiving such price quotes, bids and proposals.

The director of construction services and director of facility services shall have authority to independently approve fee amendments and change orders in the aggregate amount of up to 10% of the dollar amount of the original written agreement.

For original written agreements of \$250,000 or more, every fee amendment and change order that increases the dollar amount of the agreement shall be promptly reported in writing to the Board of Education. The Board of Education may at any time in its sole discretion appoint an independent committee or individual to oversee or process fee amendments and/or change orders regarding such agreements, and shall appoint an independent committee or individual to oversee or process fee amendments and/or change orders regarding such agreements when in the aggregate the fee amendments and/or change orders equal or exceed 10% of the dollar amount of the original written agreement.

For original written agreements of less than \$250,000, written notice shall be provided to the superintendent when in the aggregate fee amendments and/or change orders equal or exceed 10% of the dollar amount of the original written agreement. Upon receipt of such notice, the superintendent or his/her designee shall appoint an independent committee or individual to oversee or process fee amendments and/or change orders regarding such agreements.

Adopted by Superintendent: March 8, 2017
Revised by Board: February 26, 2019

CROSS REFS:

DJ, Purchasing

DJA, Purchasing Authority

DJB, Purchasing Procedures

DJG/DJGA, Vendor Relations, Sales Calls and Demonstrations

FEAA, Construction Project Prequalification